



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

August 23, 2016
Certified Mail/Return
7012 3460 0003 1112 7512

Butte City Community Services District
P.O. Box 124
Butte City, CA 95928

Attention: Jesus Campos, President

Subject: Public Water System No. 1100711 – Citation No. 21-16C-020 for violating California drinking water statutes and regulations.

As a result of the Butte City Community Services District (BCCSD) water system inspection in July of 2016, numerous deficiencies have been discovered that violate the California Health and Safety Code and the California Code of Regulations. The Division of Drinking Water hereby issues the enclosed Citation to BCCSD to correct these deficiencies in a timely manner.

Please note that the Division's authority allows it to impose civil penalties if the enclosed citation directives are not addressed by the deadlines specified therein.

Section 116577 of the Health and Safety Code allows the division to be reimbursed by the public water system for costs incurred for preparing and issuing a citation. Currently, the hourly rate is approximately \$153.00 per hour.

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

A handwritten signature in black ink, appearing to read "R. Crenshaw".

Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Public Water System: Butte City Community Services District

Water System No.: 1100711

To: Butte City Community Services District

Attn: Jesus Campos

P.O. Box 124

Butte City, CA 95920

Issued: August 23, 2016

VIA CERTIFIED MAIL

CITATION NO. 21-16C-20 FOR NONCOMPLIANCE

With multiple California Health and Safety Code statutes

And Title 22 California Code of Regulations.

Section 116650 of the California Health and Safety Code (CHSC) authorizes the issuance of a citation for failure to comply with a requirement of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued thereunder.

The State Water Resources Control Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division,



1 hereby issues a citation to Butte City Community Services District for failure to comply
2 with Sections 64675 and 64690, Title 22, of the California Code of Regulations (CCR).

3
4 **APPLICABLE AUTHORITIES**

5 Section 116650 of the CHSC states:

6 *(a) If the department determines that a public water system is in violation*
7 *of this chapter or any regulation, permit, standard, citation, or order*
8 *issued or adopted thereunder, the department may issue a citation to*
9 *the public water system. The citation shall be served upon the public*
10 *water system personally or by certified mail. Service shall be deemed*
11 *effective as of the date of personal service or the date of receipt of*
12 *the certified mail. If a person to whom a citation is directed refuses to*
13 *accept delivery of the certified mail, the date of service shall be*
14 *deemed to be the date of mailing.*

15
16 *(b) Each citation shall be in writing and shall describe the nature of the*
17 *violation or violations, including a reference to the statutory provision,*
18 *standard, order, citation, permit, or regulation alleged to have been*
19 *violated.*

20
21 *(c) A citation may specify a date for elimination or correction of the*
22 *condition constituting the violation.*

23
24 *(d) A citation may include the assessment of a penalty as specified in*
25 *subdivision (e).*



1 (e) The department may assess a penalty in an amount not to exceed
2 one thousand dollars (\$1,000) per day for each day that a violation
3 occurred, and for each day that a violation continues to occur. A
4 separate penalty may be assessed for each violation.

5
6 Section 116460 of the CHSC states:

7 No person shall operate a public water system without an emergency
8 notification plan that has been submitted to and approved by the
9 department. The emergency notification plan shall provide for immediate
10 notice to the customers of the public water system of any significant rise
11 in the bacterial count of water or other failure to comply with any primary
12 drinking water standard that represents an imminent danger to the
13 health of the water users.

14
15 Section 116530 of the CHSC states in relevant part:

16 A public water system shall submit a technical report to the department as part
17 of the permit application or when otherwise required by the department. This
18 report may include, but not be limited to, detailed plans and specifications,
19 water quality information, and physical descriptions of the existing or proposed
20 system, and financial assurance information.

21
22 Section 116540 of the CHSC states in relevant part:

23 The department may impose permit conditions, requirements for system
24 improvements, and time schedules as it deems necessary to assure a reliable

1 *and adequate supply of water at all times that is pure, wholesome, potable, and*
2 *does not endanger the health of consumers.*

3
4 Section 64422 (c), Title 22, of the CCR states in relevant part:

5 *(c) The supplier shall submit an updated plan (Bacteriological Sample*
6 *Siting Plan) to the State Board at least once every ten years and at any*
7 *time the plan no longer ensures representative monitoring of the system.*

8
9 Section 64554 (a), Title 22, of the CCR states in relevant part:

10 *(a) At all times, a public water system's water source(s) shall have the*
11 *capacity to meet the system's maximum day demand (MDD).*

12 *(2) For systems with less than 1,000 service connections, the*
13 *system shall have storage capacity equal to or greater*
14 *than MDD, unless the system can demonstrate that it has*
15 *an additional source of supply or has an emergency*
16 *source connection that can meet the MDD requirement*

17
18 **STATEMENT OF FACTS**

19 The Butte City Community Services District (Water System) is classified as a
20 community water system serving approximately 100 people through 48 active service
21 connections. On July 12, 2016, Division staff performed a sanitary survey inspection
22 of the Water System, along with the Water System's certified operator. As a result of
23 the inspection, multiple deficiencies were noted and outlined in the inspection report.
24 The following deficiencies found are in direct violation of the relevant statutes and
25 regulations referenced above:



- 1 1. In April of 2010, the Water System was issued a letter stating that Well 01 was
2 bacteriologically compromised and was not to be used unless certain
3 deficiencies were resolved; including rectifying a plastic liner casing that had
4 been improperly installed. In lieu of resolving the issues, the Water System
5 was told that the well could be disconnected from the distribution system.
6 These issues have not been resolved, nor has the well been disconnected.
7 This is a violation of Section 116540 of the CHSC.
8
- 9 2. The Water System's Emergency Notification Plan is out of date as it does not
10 include the most current Water System personnel and contact information. This
11 is a violation of Section 116460 of the CHSC.
12
- 13 3. The Water System did not include well production data in the 2014 annual
14 report and has not yet submitted the 2015 annual report. This is a violation of
15 Section 116530 of the CHSC.
16
- 17 4. The following chlorination Permit Amendment (No. 01-02-93P11043A1)
18 requirements are not being met; This is a violation of Section 116540 of the
19 CHSC:
 - 20 a. At least weekly, take free chlorine residual readings in the distribution
21 system.
 - 22 b. At least weekly, a trained person must visibly inspect the chlorination
23 system and report observed problems to the operator.
 - 24 c. Monthly chlorine demand must be calculated.

1 d. Monthly treatment records, including free chlorine residual readings and
2 calculated monthly average dosage must be signed and dated and be
3 kept in the well house.

4
5 5. The Water System's Bacteriological Sample Siting Plan (BSSP) is over ten
6 years old, and is therefore considered out of date unless resubmitted and
7 signed by an authorized representative. This is in violation to Section 64422(c),
8 Title 22, of the CCR.

9
10 6. The water system does not meet the source capacity requirements of the
11 Drinking Water Regulations; specifically the requirement to have storage
12 capacity or another source of supply equal to or greater than maximum day
13 demand. This is in violation to Section 64554(a), Title 22, of the CCR.

14
15 **DETERMINATIONS**

16 The Division has determined that the Water System is currently violating Sections
17 116460, 116530, and 116540 of the California Health and Safety Code and Sections
18 64422(c), and 64554(a) of the California Code of Regulations, in that the Water
19 System has failed to correct the deficiencies summarized above.

20
21 **DIRECTIVES**

22 The Water System is hereby directed to take the following actions:

- 23
24 1. **By September 30, 2016**, deficiency numbers 1 through 5 identified above
25 in this citation must be corrected. Proof of all corrections shall be submitted
26 to the Division by this date.

- 1
2 **2. By September 30, 2016,** Submit a plan for correcting the source capacity
3 violation identified in deficiency number 6 above.
4

5 All documents required by this Citation to be submitted to the Division shall be
6 submitted to the following address:
7

8 Reese B. Crenshaw, P. E.
9 Valley District Engineer
10 Drinking Water Field Operations
11 Division of Drinking Water
12 State Water Resources Control Board
13 364 Knollcrest Drive, Suite 101
14 Redding, CA 96002
15 (530) 224-4800
16

17 Nothing in this Citation relieves the Water System of its obligation to meet the
18 requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California
19 Safe Drinking Water Act (SDWA)), or any regulation, permit, standard or order issued
20 or adopted thereunder.
21

22 The Division reserves the right to make such modifications to this Citation, as it may
23 deem necessary to protect public health and safety. Such modifications may be
24 issued as amendments to this Citation and shall be effective upon issuance.
25
26

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Board to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the State Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with violates an order of the State Board. The State Board does not waive any further enforcement action by issuance of this citation.

PARTIES BOUND


This Citation shall apply to and be binding upon the Water System, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Citation are severable, and the Water System shall comply with each and every provision thereof notwithstanding the effectiveness of any other provision.



Reese B. Crenshaw, P.E., District Engineer
Valley District
Drinking Water Field Operations Branch



Date

